

#102
#11/1/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Heifetz *et al.*

Appln. No. 09/309,038

Filed: May 10, 1999

For: Regulation of Gene Expression

Art Unit: 1638

Examiner: Mehta, A.

Atty Docket: S-30959P1/N1

RESPONSE TO RESTRICTION/ELECTION REQUIREMENTCommissioner of Patents
Washington, D.C. 20231

Sir:

In the Office Action mailed September 27, 2000, the claims were restricted into two groups:

Group I, claims 1-40, 45-70 and 72, and

Group II, claims 41-44 and 71.

Applicants hereby elect to prosecute the claims in Group I without traverse.

It is believed that there is no need for an Extension of Time to enter this paper. However, if any Extension of Time is deemed necessary, then the Office is hereby authorized to charge Deposit Account No. 19-0134 (in the name of Novartis Corporation) for payment of any such extension fee. The Commissioner is authorized to charge any additional fees under 37 C.F.R. § 1.17 that may be required, or credit any overpayment, to Novartis Corporation's Deposit Account No. 19-0134.

Respectfully submitted,

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Date: October 27, 2000

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Gail C. Griffin
Type or print name

Signature

October 27, 2000
Date

Attention of: Examiner A. Mehta	From: Marcia Morton/Gail Griffin
Company: US PTO	Telephone: 919-541-8566
Address: Washington, D.C.	Telefax: 919-541-8689
Telefax: 703 308-4315	Date: October 27, 2000
No. of pages 2 (including cover sheet)	

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Re: See attached Response to Restriction Requirement for 09/309,038.